

REMARKS

The Official Action of November 3, 2005, and the prior art cited and relied upon therein have been carefully studied. The claims in the application remain claims 1-6, and these claims define patentable subject matter warranting their allowance. Favorable reconsideration and such allowance are respectfully urged.

Claims 1-6 remain in the application for consideration.

In response to the Examiner's objection to the specification and rejection of claim 1 under 35 U.S.C. §112, second paragraph, Applicant has amended the abstract, page 10, line 18 of the specification and claim 1 to eliminate each of the problems identified by the Examiner. Applicant respectfully submits that the objections to the specification and rejection of claim 1 under 35 U.S.C. §112 have now been overcome.

The Examiner has further rejected claims 1 and 2 under 35 U.S.C. §103(a) as being unpatentable over Psenka '919 in view of Applicant's Admitted Prior Art (APA). Applicant respectfully traverses this rejection as applied to claim 1 as amended.

Psenka's broach cutting teeth E to G are profiled teeth having a guided flank 72, a bottom having two bottom parts, i.e. a deep bottom part and a shoulder bottom part 76, and an opposition flank opposing the guide flank 72 also being parted and consisting of a bottom opposing part 74 joining the deep bottom part and the shoulder bottom part 76 and a shoulder opposing part joining the shoulder bottom part and the main body of the shank. Only the shoulder bottom part is designed for (non-relieved) cutting. The deep bottom part has no cutting but only a guiding function. In addition, only the shoulder opposing part of Psenka's teeth E to G has a cutting function. The bottom opposing part 74 is free from the workpiece to be cut as is clearly shown in Fig. 5.

According to claim 1 of the application, the broach cutting teeth comprise two special features which Psenka's cutting teeth E to G do not show:

First of all, the cutting teeth of the claimed invention have cutting blades cutting over the full profile width. Thus, no sequence of teeth like Psenka's teeth E to G is necessary to cut the full profile width. Therefore, the teeth according to claim 1 of the application are advantageous over Psenka's teeth configuration as they give workpieces better surface quality and accuracy of profile shape.

Secondly, the profile flank opposing the guiding flank according to the present application is at its full height free from the working piece. The only point where this opposing flank comes into contact with the working piece is the transition point into the bottom cutting blade. Therefore, a well-defined cutting operation takes place where each of the teeth profile boundaries first side/second side/bottom serves its own given function.

Psenka's cutting teeth E to G neither have bottom cutting blades cutting over the full profile width nor have opposing flanks being relieved over the full profile height. Instead, Psenka relies on a much more complex profile geometry having a parted bottom and a parted opposing flank. Psenka's cutting teeth therefore require high expenditure to produce them. In addition, the cutting of a given profile geometry requires a lot of teeth cutting in sequence.

In conclusion, Psenka shows a much more complex tooth design and gives no hint as to the tooth design of the claimed application having a bottom cutting blade cutting over the full profile width and having a blade being relieved over a full height of the profile flank being in opposition to a guiding flank.

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Applicant respectfully submits that claims 1-6 patentably define over the cited prior art, as it clearly does not teach a bottom cutting edge as claimed by Applicant.


Acknowledgement by the PTO of the receipt of applicants' papers filed under Section 119 is noted.

The prior art documents made of record and not relied upon have been noted along with the implication that such documents are deemed by the PTO to be insufficiently pertinent to warrant their applications against any of applicant's claims.

Favorable reconsideration and allowance are earnestly solicited.

Respectfully submitted,

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